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IN THE SENATE OF THE UNITED STATES.

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MARCH 16, 1896.—Referred to the Committee on Forest Reservations and the Protection of Game and ordered to be printed.

The VICE-PRESIDENT presented the following

LETTER FROM THE SECRETARY OF THE INTERIOR, IN RESPONSE TO SENATE RESOLUTION OF FEBRUARY 26, 1896, AS TO WHETHER POACHING IS CARRIED ON TO ANY GREAT EXTENT IN THE YELLOWSTONE NATIONAL PARK.

DEPARTMENT OF THE INTERIOR,
Washington, March 13, 1896.

SIR: I have the honor to acknowledge the receipt of the following resolution of the United States Senate, dated February 26, 1896:

That the Secretary of the Interior be, and he is hereby, directed to inform the Senate whether or not poaching is carried on to any extent in the Yellowstone National Park; whether animals from said park cross the boundaries thereof into Idaho and Montana and are there slaughtered contrary to existing law; whether the police force guarding said park is sufficient; and to transmit to the Senate all information which he may have in his possession concerning the subject herein inquired about, and to make such recommendation for legislation as in his opinion will tend to the preservation of the animals belonging to the Yellowstone Park.

In response thereto, I transmit herewith copies of the Report of the Secretary of the Interior and of the Acting Superintendent of the Yellowstone National Park for the fiscal year ended June 30, 1895, respectively, in which poaching and the condition of affairs in the Yellowstone National Park generally is discussed, together with a copy of a report made by Capt. George S. Anderson, acting superintendent of the park, under date of the 2d instant, regarding depredations upon the game in the park, etc., and have to state that it is all the information in the possession of the Department concerning the subject of the Senate's inquiry.

With reference to so much of the resolution as requires me to recommend such legislation as in my opinion will tend to the preservation of the animals belonging to the Yellowstone Park, I have to state that existing law—act of May 7, 1894, "To protect the birds and animals in the Yellowstone National Park, and to punish crimes in said park" (28 Stat. L., 73)—is sufficient for such purpose, and no additional legislation by Congress on that subject is necessary. Inasmuch, however, as the Department is handicapped in its enforcement of the law by reason of the lack of sufficient police force to detect and place under arrest those who violate its provisions, it would seem advisable that a material increase be made in the appropriation for the protection and improvement of the Yellowstone National Park during the ensuing fiscal year.

Very respectfully,

HOKE SMITH, *Secretary.*

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
OFFICE SUPERINTENDENT YELLOWSTONE NATIONAL PARK,
Mammoth Hot Springs, Wyo., March 2, 1896.

SIR: I return you herewith the Senate resolution, with the following report:

(1) Poaching is carried on to some extent in the Yellowstone National Park, and it will be impossible to thoroughly prevent it. Most of it is done near the borders by persons who live without the park and operate near the line. Elk, deer, antelope, and most other game are so plentiful that the damage to them is very slight. With the buffalo, however, it is different, and I hear the herd is in danger of extinction. The big price paid for their scalps makes it particularly difficult to keep hunters from pursuing them, to their ultimate extinction. In November last word came to me that a man named Courtenay, from Lake, Idaho, had four heads in his possession and was bringing them to Butte, Mont., for sale. I had him arrested and brought to trial, but he and his friends swore that they were killed in Idaho, outside the park, and he was acquitted.

In January I sent Captain Scott and Lieutenant Lindsley to the Idaho side, with orders to find out all they could about poaching in that region. I inclose a copy of their report, which is very complete.

(2) Animals do cross into Montana and Idaho, and are there killed. In Montana the law properly provides for their protection, but as yet it has not been very actively enforced. I do not think any buffalo now cross into that State. Idaho has a law protecting nearly all kinds of game, but strangely enough the buffalo are not there protected—"by an oversight," as I have been informed. This fatal omission should be promptly remedied, but I believe the Idaho legislature does not meet again for a whole year, and meanwhile the last remnants of the herd is endangered. The other animals are sufficiently protected.

(3) The police force guarding the park is not sufficient. Until August last I had but a single scout besides the soldiers. At that time the Secretary of War authorized me to expend \$2,000 of the park appropriation for its "protection." I at once employed a detective and an assistant, who did good work and brought back valuable information. They were employed about a month. I also employed two scouts for two months, and have continued another on until this time. These were additional to the one that has been continuously in service, and paid from War Department appropriations. I think an allotment of \$5,000 per year to be expended by the superintendent of the park for scouts, guides, and detectives, as they might be needed, would result in thorough protection of the remaining game.

Very respectfully,

GEO. S. ANDERSON,
Captain, Sixth Cavalry, Acting Superintendent
Yellowstone National Park.

THE SECRETARY OF THE INTERIOR.

FORT YELLOWSTONE, WYO., *February 21, 1896.*

SIR: Regarding the journey made in compliance with instructions contained in Special Orders No. 2, Fort Yellowstone, Wyo., January 20, 1896, I have the honor to report as follows:

We proceeded by rail to Market Lake, Idaho. There we learned that game trophies are occasionally shipped from that station, but always boxed and consigned as merchandise.

After investigating matters in that vicinity we proceeded, on January 29, to Rexburg, a distance of 25 miles. The population of this little town is composed almost entirely of Mormons. They are ignorant, lazy, and improvident. We could hear of no hunters, trappers, or probable poachers in the vicinity, and the people knew nothing except of their own small affairs.

On January 30 we went to St. Anthony, the county seat of Fremont County. Our route lay through the little hamlets of Salem, Wilford, and Teton—places of no importance. At St. Anthony we stopped at the Riverside Hotel, kept by Mr. White. The population of St. Anthony is composed largely of Gentiles, the proportion being about three to one. It is the only town in Fremont County that displays any thrift or enterprise.

Mr. White is trying to make his hotel a rendezvous and outfitting point for hunters and sportsmen. He advertises in *Forest and Stream*. We learn from him that Rice and Findlay, the bankers and leading merchants there, had a buffalo head recently which they tried to sell to him for \$50. They are Gentiles who came there about two years ago and have built quite a large business, though we understand they are somewhat involved financially, on account of slow collections. They have the reputation of being "hustlers," and trying to make money in almost any way. We also learned that Mr. Sawtell, of Jacksons Lake, has some money invested in the firm. They have freighted a quantity of goods into Jacksons Hole via Snake River Station, and together with the residents of this part of the country in general are anxious to have the wagon trail from Snake River Station to the edge of the park made into a road.

The next day I drove 13 miles to Burgess's place on left bank of Fall River, 5 miles above its confluence with the North Fork of Snake, and stayed there over night. Returned the next day to St. Anthony. Was unable to get any information whatever from him. He either did not know anything of what is going on in the country, or else did not care to impart any information, probably the latter. He seemed contented and happy in his own surroundings.

Lieutenant Lindsley rode to Beaver Dick's cabin, on Teton River, about 8 miles from St. Anthony. John Brown, ex-private, Troop I, Sixth Cavalry, is wintering with Dick. Do not think they are doing anything this winter and could not get any information of importance from them.

Learned at St. Anthony that George Winegar is son-in-law of Bishop Parker, the ex-Mormon bishop of the Egin Ward. Everyone unites in giving the Winegars a hard reputation, and George in particular, is a drunkard and worthless. They won't pay their debts, are Mormons, and will do nothing except to hunt and trap. They killed some buffalo a year ago last fall, probably two or three. They have a cabin in the Squirrel Creek Meadows, where they go to hunt and trap. They live at Egin.

George Rea and Mr. Bishop, of Island Park, were in St. Anthony last week. Came in on snowshoes and are having a toboggan built there now. Learned from Mr. Bramwell, clerk of the court, and Mr. Cahoon, the probate judge, that Osborn, of Island Park, brought in the two buffalo heads that Rice and Findlay had, and that Osborn is said to have killed eight this fall.

On Sunday, February 2, we met Mr. Hawley, the deputy sheriff and acting game warden. All of the county officials seem much in favor of game protection, and of a law for the preservation of the buffalo in Idaho in particular. The present game law is prohibitory on elk and moose, and several attempts have been made to enforce it, but they have been unable to secure a conviction as yet. Many of the settlers to the north and east of St. Anthony kill elk for their winter's meat, but, except the Winegars, they do no other hunting and no trapping. One of the heads that Rice and Findlay had was a cow. Could not get any description of the other. Broached the subject to Mr. Rice, and he seemed considerably frightened. Denied at first everything, but finally admitted having known the whereabouts of two heads, stating that he had been negotiating for them. Says he got frightened and refused to have anything more to do with them. The impression seems quite generally to prevail that there is some United States law protecting the buffalo. Think Rice and Findlay have the two heads cached somewhere at present.

On the 3d we went 18 miles up the North Fork, to Marysville, where we stayed with Mr. T. Gooch. He is a Mormon, and seems to stand next to the bishop. He is J. P. and P. M.

Marysville is between the North Fork and Falls River. The country is flat, not much higher than the river. No timber and no water as yet. It is essentially a Mormon community of decidedly low type. The country is newly settled, the people very poor, and ignorant and lazy. A Salt Lake company has begun taking out a ditch from Fall River, near the southwest corner of the park. It will be completed in June, and will furnish water to the whole country.

Fred Reising has a homestead about 4 miles south of Marysville, at the Black Spring. He has not been in the country for more than a year. His homestead has been jumped by a Mr. Mitchell, and the contest takes place next May. He is generally regarded as the worst poacher in the vicinity.

There is a sawmill at the mouth of Warm River, owned and operated by Messrs. Hammond, Cordingly & Hendricks. Warm River empties into the North Fork about 6 miles above here. It is designated on the Land Office map of Idaho as Spring of Mormon Mule Creek. On the 4th we visited this sawmill and met the Cordinglys and Mr. Hammond. Warm River is about twice the size of Nez Perce Creek, is broad and shallow, and never freezes. The most of the water comes from a big spring, said to be 12 miles above the mouth. Heard that an old trapper had built a cabin just below the spring and is up there now, trapping furs. Hear that there are meadows between Warm River and North Fork, and that some moose winter there. Heard of Shepherd's father and three sons, who hunt up toward the park for meat, and sometimes trap some fur. Also of Mr. Shipp, who is an old trapper, but has been prospecting for the last year.

The people are very suspicious of us, and it is hard to get information, and harder still to get reliable information.

On the 5th it snowed hard all day, so we could not get out. The Shepherds are probably up toward the meadows now, but can't find out for certain.

On the 6th Lieutenant Lindsley went to Vaux's cabin and returned the next day. Was driven to sawmill and then up log road for 5 miles. There were 2 feet loose, fresh snow. He left the log road at 1 p. m. and reached the cabin at dark, having made about 6 miles on skees. The cabin is on river bank about one-half mile below the big spring. Vaux served in the Fifteenth United States Infantry during the war. He came here last October from the Big Hole. Is a prospector, and is trying to trap for enough to make a grub stake for next summer. He uses strychnine in addition to his traps. He has killed two moose and two elk this fall and winter. Had moose meat for supper, and he has traded some of the meat with the sawmill men for flour, etc. He says that while fishing in the Fall River meadows late last September, he saw the carcass of a buffalo. The hide had been taken and horns chipped off with an ax.

Dick Rock's cabin and elk corrals are 1 mile northwest of Vaux's cabin, in the meadows, and from them a wagon trail runs to Island Park and Henrys Lake. It is clearly out of the park—probably 8 miles. Vaux says there are six moose near his cabin, but no elk now; thinks the elk come in later, for he sees many shed horns about. The river contains vegetable growth similar to that in Nez Perce Creek and Fire Hole, and Vaux says the moose wade the river and feed on the grass. There is usually a hard crust on the snow in March that sometimes gets strong enough to hold an elk. The snow now is a little more than 6 feet deep at his cabin.

Vaux says he saw trail of eight or ten buffalo last October about 2 miles up the river from his cabin. It led toward the meadows, and had been followed by horse tracks. He thinks it was scouts or soldiers driving them back into the park. Says some of the sawmill men told him so.

There are three brothers, named Bell, logging at the sawmill. One of them has worked for Mr. Waters in the park. They are Gentiles, and seem very energetic, and somewhat inclined to hunt or trap, but could hear of nothing against them.

The Shepherds are now at Reising's cabin, on Porcupine Creek, about 15 miles from here toward the meadows.

On the 8th I met Mr. Samuel Talon, who lives on a ranch at Marysville. He is a Gentile and a volunteer soldier; is a surveyor, and has worked on the Marysville Ditch, also on the Arrange Ditch. He is very bitter against the Mormons, and seems to get on badly with most of his neighbors. He would give any information possible that would injure his enemies, but is apparently too eager to be reliable. He reports that Mr. Osborn, of Island Park, has sold buffalo meat to Mr. Charles Brown, on Fall River; also reports that Larney Brothers had several hundred thousand feet of lumber out on south bank of Fall River last winter, most of which he thinks was cut in the park. Larney Brothers run a sawmill and deal in lumber of all kinds at St. Anthony.

Securing a guide, we started out on February 9 for Reising's old cabin on Porcupine Creek. This cabin was built by him in 1890, and he has occupied it every winter since, until last winter. It is now occupied by hunting parties, who go there for meat. It is probably 4 miles from the west boundary.

Mr. Gooch hauled us in a sleigh 5 miles, whence we proceeded on snowshoes and reached the cabin at dark. The snow increased rapidly in depth, and the skees sank deeper at every step. Found the head and front quarters of a bull elk near trail, about 2 miles before we reached the cabin. Found Mr. Shepherd and his son camped at cabin. They had dog and toboggan. Said the boy killed the elk and had taken the hind quarters home. Had some of the meat in camp and was going to haul the rest home. The old man is not very strong. Says he is trying to get some fur, but has had no success as yet. Young Green has been with them, and is expected up to-morrow with another dog and sled. Hear that they have two more elks somewhere, but they say nothing about it. It snowed all day, but was not cold.

On the 10th we stayed at the cabin and Shepherd volunteered to guide us to top of divide, toward Snake River Station.

On the 11th we started for a cabin 16 miles farther on and near Bechler River. Reached crossing of Rock Creek and were all played out. Had to camp in the open air and melt snow for water. Cut wood all night with hatchet to keep warm. The snow here is 7 feet deep, very soft on top, and it snowed all day. The skees sink a foot and a half, which makes traveling very laborious. The blazes on trees are nearly all covered with snow, and Shepherd was unable to follow the trail closely. Saw no signs of game, the recent snow having covered up any trails that may have been made before.

On the 12th we left camp at daylight. Reached tree where park regulations are posted at 11 o'clock. Shepherd said the cabin, which is a secret one built by Winegar some years since, was only one-half mile away. He started for it and came out at Bechler River. Was very much surprised at not being able to find it. The air was full of snow. Circled back and found it at 3 p. m. on bark of a little lake and about half a mile from park regulations. It is much dilapidated. Had hole in middle of the roof to let smoke out, and there was considerable snow inside. Shepherd's son and young Green were with us, besides the guide employed at Marysville, and they had two dogs and toboggans. We camped in cabin, and at bedtime it was still snowing hard. Shepherd refused to guide us any farther; said he wouldn't undertake to guide us anywhere in such a storm, as it was impossible.

The morning of the 13th it was still snowing. The guide and the young men were played out and sick. The dogs were tired and footsore, and we found we had only one day's rations left. The Snake River Station was still 25 miles distant, and two rivers to wade before reaching it. It was clearly impracticable to proceed farther, so we returned that day to Reising's cabin over the trail we had broken, and where Shepherd had some rations left. The next morning we had nothing but a small quantity of bread and some tea for breakfast, and that night we reached Marysville. During our absence the weather had been fine at Marysville, and the snow was crusted after we left the timber.

From Marysville we returned as rapidly as possible to Market Lake, and came home by railroad, reaching the post on the 18th.

On the train coming home saw a traveling man who saw Snyder at Park City, Utah, last spring, peddling jerked meat and salt fish. He also had a head and skin of a young bull, which he was trying to sell for \$50.

We heard from many different sources that buffalo have wintered in the meadows heretofore, and also about the warm formation on Mountain Ash Creek. Fresh signs were seen in that vicinity late last fall, and it seems very probable that a small band is wintering there now, unless they have all been killed.

It is equally certain that the poachers from Henrys Lake and Island Park come into the country adjacent every spring as soon as the snow crusts, so they can travel with their dog teams. We believe that the remnant of the band will be destroyed before spring unless extraordinary measures are taken for their preservation.

There are two cabins in the meadows on Bechler River and one on Mountain Ash Creek, and I recommend that these, together with the secret cabin where we camped and the old Reising cabin, be destroyed.

Very respectfully,

G. L. SCOTT,

Captain, Sixth Cavalry.

Capt. GEO. S. ANDERSON,

Sixth Cavalry, Superintendent Yellowstone National Park.

[Extract from report of Secretary of the Interior, 1895.]

All the game continues to increase and prosper except the bison, or buffalo. They are constantly hunted and pursued by head and skin hunters from the vicinity of Henrys Lake, in Idaho, and are in danger of extinction. The small remaining herd, of probably 200 in number, summers near the Idaho line. The laws of that State are extremely deficient in measures for preserving the game, and it has been necessary to devote a part of the appropriation for park protection to the detection of the vandals who slaughter it. The park act can afford no protection to the buffalo after they cross its boundary. The only herd of wild bison, or buffalo, now existing in the United States is on the boarder of this State, liable at any time to pass within its dominion, and every influence should, therefore, be brought to bear to induce the Idaho authorities to enact laws necessary for its protection.

[Extract from report of acting superintendent of Yellowstone National Park, 1895.]

POACHING.

The act of May 7, 1894, seems to have had a most healthy effect upon the poachers who surround and prey upon the park. I believe that those of the north, the east, and the south sides have nearly or quite ceased troubling it. I can not say as much as

this for the Idaho border. There is a section of country, beginning at Henrys Lake and extending south for about 25 miles, inhabited by a merciless and persistent lot of head and skin hunters. In most civilized countries the occupation of such vandals as these is held in merited contempt, but it is not so in the region of which I have made mention. The laws of Idaho are extremely deficient in game protective measures. I believe it is a fact that the bison, now so nearly extinct, is not protected at all. So long as the only herd of wild bison now existing in the United States is on the border of this State, liable at any time to cross within its dominion, it would seem that the State would pass the laws necessary to protect them with the most vigorous of punishments. Extended inquiry into various rumors of the killing of bison, either in the park near the Idaho line or across it within that State, has convinced me that this last remaining herd is in danger of extinction by these people of whom I have made mention.

I have good evidence of the killing of at least ten less than two years ago near the State line, but probably outside the park. This was prior to the passage of the protection act, which has nearly put an end to depredations within the park. I have no doubted evidence of the capture of three calves this spring by a resident of Henrys Lake. He claims that this capture was made outside the park. There are rumors of a herd of nearly one hundred having been seen, in Idaho outside the park within the last two or three months. The park act can afford no protection to these animals after they cross its boundary. I trust every influence will be brought to bear to induce the Idaho authorities to pass a protective law, and to this end I will exert my best endeavor.

A single conviction of a poacher under the law of May 7, 1894, will act as a powerful deterrent on these criminals, and I have no doubt will go far toward settling the question of incursions by depredators for all time.

The only other way in which the park is liable to be troubled by poachers is in the capture of the fur-bearing animals. It is so easy to place poison or set traps where the eye of the most expert scout can not find them; it is so easy to pack the pelts out of the park without detection, that it has seemed to me one of the most difficult problems that I have been called upon to handle. Of course the constant system of patrols has done much to enforce the law and the regulations on this subject, and I am pleased to state that the effect has been the best. Evidences multiply on all hands of the constant increase of all of these animals. Four years ago I considered the extinction of the beaver imminent. I now find them multiplied many fold in all of the suitable streams in the park. Of course some of them fall a victim to the trappers who hang around the borders, but the large central area of the park is as thoroughly protected as though poachers were nonexistent.

The few elk, deer, antelope, bear, etc., that may fall victims to the hunter's rifle within the park limits will not in any material sense diminish their numbers, and except as a matter of example, it would not be worth the trouble of pursuing the poacher who confines his depredations to this kind of game.

GAME.

Last winter there was less snow than ever before known within the park. It was possible for the larger game, such as bison and elk, to pass at will over most parts of it during the entire winter. For that reason, perhaps, the bison that have heretofore wintered in the Hayden Valley were not massed there this year. The most seen there in a single bunch at any one time was about thirty. Small herds of from three or four to ten were seen in widely separated localities where they have not usually wintered. I feel sure that many of them did not leave their summer range along the Idaho line. How many of them may have been killed or captured I can not determine, but I fear that their number has not increased, although I am still disposed to adhere to my estimate of last year that two hundred still remain. There has been placed at my disposal by Professor Langley, of the Smithsonian Institution, \$3,000 with which to build an inclosure and provide food for so many as can be driven within it during the coming winter. If this plan should succeed we will be able to retain a small herd and keep them nearly in a state of nature. I hope to have this inclosure built by the middle of September.

On account of the mildness of the winter and the early disappearance of the snow it was a particularly favorable season for the rearing of young, and all of the wild animals seen this spring are accompanied by an exceptional number of vigorous and healthy offspring.

From reports received from the station on Snake River, it seems that the moose in that region are rapidly increasing. I have no doubt they are thoroughly protected, and in time will form an important element among the game preserved within the park.

Of the mountain sheep I have nothing new to report. Their summer habitat is not within my observation, but the usual herds wintered on Mount Everts and were seen almost daily by travelers on the road between here and Gardiner.

The elk have quite held their own or increased in numbers, and have been seen almost daily by tourists up to the present date. They exist within the park in such great numbers that the question of their preservation is not one that causes any concern. A succession of open winters like the last would possibly make them more numerous than the food supply could well support. That they breed and winter within the park and wander outside of it to furnish sport for hunters is not an evil, and is perhaps one of the very excuses for game protection within its limits.

The antelope have increased very materially. Certainly eight hundred of them wintered on the flat this side of the town of Gardiner, where this most shy of all wild animals became nearly as tame as domestic cattle.

The deer seem to have increased more rapidly than any other variety of game. I have seen within the last twelve months double the number that I have ever before seen in a similar period. During the winter and the early spring they wander unfrightened over the grassy slopes at this point and pass within a few feet of the houses and barracks, exposed to the gaze of the officers and soldiers, without exhibiting the slightest fear.

Bear are as plentiful and as tame as ever, visiting most of the hotels nightly, where they are a source of amusement and entertainment to the tourists. Although they have increased notably, I do not think it is desirable to diminish their numbers. They are not dangerous to human life, and the park can well spare whatever of the other game they may consume for their sustenance.

The only contributions made to the National Zoological Park, at Washington, last year were ten beaver, a few of the smaller animals, and some birds. This was, of course, largely due to the fact that I was uncertain as to whether I would be permitted under the new law to capture and ship them. An affirmative decision on this point came too late in the season to be of any value, for the young were then too large to be captured. I am arranging to make some captures for shipment this autumn.



